



**U.S. Department of Justice**

Civil Division

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*Washington, D.C. 20530*

April 15, 2011

*via ECF*

The Honorable Lawrence L. Piersol  
United States District Judge  
District of South Dakota  
United States Courthouse, Rm 202  
400 S. Phillips Ave.  
Sioux Falls, South Dakota 57104

Re: TCF National Bank v. Bernanke, 4:10-cv-04149-LLP

Dear Judge Piersol:

At the hearing in the above-referenced matter on April 4, 2011, the Court denied Plaintiff's motion for a preliminary injunction, took Defendants' motion to dismiss under advisement, and directed Defendants to submit proposed findings and conclusions regarding the Court's denial of Plaintiff's motion. Attached and filed separately please find Defendants' proposed findings of fact, conclusions of law, and order denying plaintiff's motion for a preliminary injunction.

Sincerely,

Bradley H. Cohen  
Trial Attorney  
Federal Programs Branch  
U.S. Department of Justice